**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Civil Writ Petition N0. 602 of 2005 (S/S)**

Girish Prasad
S/o late Sri Surat Ram

……. Petitioner

Versus

1. State of Uttaranchal.
   through Secretary
   Public Works Department.
2. Superintending Engineer,
   12th Circle, Public Works Deptt.,
   Pithoragarh.
3. Executive Engineer,
   temporary Public Works Deptt.,
   Berinag, District Pithoragarh.

…….. Respondents

None for the petitioner.
Mr. N.P. Sah, Standing Counsel for the State.

**Hon'ble Prafulla C. Pant, J.**

None present for the petitioner.

Learned Standing Counsel is present for the State.

2) By means of this writ petition, the petitioner, who is a Beldar on daily wages with the Public Works Department, has sought his regularization in service.

3) In the counter affidavit, it has been stated hat the petitioner worked on daily wages only from 07.04.1996 to 25.07.1999 and was not in job, nor engaged for last six years, before he filed the writ petition.

4) Apart from this, in view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in (2006) 4 supreme Court Cases Pg. 01***, that daily wage workers and the persons employed without undergoing regular selection process under the rules, should not be permitted to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularize services of the petitioner.

4) Therefore, the writ petition is dismissed. Interim order dated 17.05.2005, is hereby, vacated. (All pending application is this Petition also stand disposed of).

**(Prafulla C. Pant, J.)**

Dt: November 20, 2006
H.Negi